

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:08-cv-00195-W**

**LAURI-ANN GIBSON-BARKLEY,**  
**Individually and as Next Friend of**  
**CHANDLER BARKLEY, a minor,**

**and**

**DWAYNE BARKLEY, Individually and as**  
**Next Friend of CHANDLER BARKLEY, a**  
**minor,**

**Plaintiffs,**

**vs.**

**CONAGRA FOODS, INC.,**

**Defendant.**

**ORDER**

THIS MATTER is before the Court upon the filing of the parties' Notice of Pending Settlement (Doc. No. 21). Pursuant to the Notice, the Court has been advised that the parties have settled all matters in controversy among them and are working to finalize documentation of such settlement. Therefore, this matter is DISMISSED and the Clerk is DIRECTED to CLOSE THE CASE subject to the right of any party to file a motion to reopen the case should settlement not be consummated by March 4, 2011. The parties are directed to file their Stipulation of Dismissal on or before March 4, 2011.

IT IS SO ORDERED.

Signed: February 3, 2011



Frank D. Whitney  
United States District Judge

